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MAR 03 2006

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MANUEL RAFAEL,

15 Defendant.  
16

)  
) No. CR 05-0352-DLJ

)  
) STIPULATION AND [PROPOSED]  
) ORDER TO PERMIT TRAVEL OUT  
) OF DISTRICT  
)  
)  
)

17 Defendant Manuel Rafael has been sentenced and is scheduled to surrender to the Bureau of  
18 Prisons on March 13, 2006, for service of his sentence. In the meantime, he remains under  
19 pretrial supervision in the Northern District of California. As a condition of his release, Mr.  
20 Rafael's travel is restricted to the Northern District of California.

21 On March 5th, 6th & 7th, 2006, Mr. Rafael's family plans to spend three days at Lake  
22 Tahoe, Nevada. Mr. Rafael wishes to go with his family for this out-of-district travel. The  
23 Pretrial Services Agency has been contacted and has objected on grounds that Mr. Rafael missed a  
24 drug test on Sunday, February 5, 2006. There is no dispute that while on pretrial release: Mr.  
25 Rafael has never tested positive for drugs; this is the first time Mr. Rafael has missed a test since  
26 September 18, 2005 (at which point he called to explain his absence and reported the next day for

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1 testing and tested clean); and Mr. Rafael has not missed any additional tests since the February 5  
2 test date. Taking into account all of these circumstances and Mr. Rafael's behavior while on  
3 pretrial release, the government has no objection to the proposed travel.

4 Therefore, the parties hereby stipulate and agree that Mr. Rafael's terms and conditions of  
5 pretrial release should be modified to permit him to travel to Lake Tahoe with his family, leaving  
6 on March 5<sup>th</sup> and returning home on March 7<sup>th</sup>, 2006, provided Mr. Rafael give the Pretrial  
7 Services Agency an itinerary that identifies where he will be staying and how he can be reached

8 SO STIPULATED.

9 Dated: 3/2, 2006

  
MERRY JEAN CHAN  
Assistant United States Attorney

12 SO STIPULATED.

13 Dated: March 2, 2006

  
HILARY A. FOX  
Attorney for Defendant RAFAEL

17 ORDER

18 Good cause appearing therefore, and pursuant to the stipulation of the parties, it is the  
19 ORDER of this Court that defendant Manuel Rafael, who is currently under pre-trial supervision  
20 by the Pretrial Services Agency, be permitted to travel outside the Northern District of California  
21 to Lake Tahoe, Nevada, from March 5, 2006, until March 7, 2006, for the purpose of traveling  
22 with his family.

23 IT IS SO ORDERED.

24 Dated: March 3, 2006

  
D. LOWELL JENSEN  
United States District Court

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**Other Documents****4:05-cr-00352-DLJ USA v. Rafael CASE CLOSED on 01/13/2006**

U.S. District Court  
Northern District of California  
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**Case Name:** USA v. Rafael  
**Case Number:** 4:05-cr-352  
**Filer:** Dft No. 1 - Manuel Joseph Rafael  
**Document Number:** 62

**Docket Text:**

STIPULATION and [Proposed] Order to Permit Travel Out of District by Manuel Joseph Rafael (Fox, Hilary) (Filed on 3/3/2006)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:** Q:\Rafael, Manuel Joseph 05086\Uploads\stip re travel3.pdf

**Electronic document Stamp:**

[STAMP CANDStamp\_ID=977336130 [Date=3/3/2006] [FileNumber=2450889-0] [a319f083798121ce6e1acfb859cd66ec4079953d8df1f9ba4767b54da687f7ecb96535199e095516aac3025c4542718379cc3db69240431991a2f2919b5b13fe]]

**4:05-cr-352-1 Notice will be electronically mailed to:**

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